

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, OCTOBER 28, 2002 AT 2:00 P.M.
TABLE OF CONTENTS**

SPECIAL ORDERS OF BUSINESS

ITEM-30:	Mission Bay Yacht Club Day, 75 th Anniversary.	3
ITEM-31:	Luis Natividad Day.	3
ITEM-32:	San Diego State University Month.	4

REQUESTS FOR CONTINUANCE	4
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**ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING
WITH THE READING AND ADOPTION:**

* ITEM-50:	Office Space Lease Amendment - Executive Complex - 6th Floor.	5
* ITEM-51:	Prohibiting Spectators at Illegal Speed Contests.	5

**ADOPTION AGENDA, CONSENT ITEMS
ORDINANCE TO BE INTRODUCED:**

* ITEM-52:	Urban Forest Programs - Tree Advisory Board Name Change.	6
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**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-100:	Agreement with the Pacific Safety Council Under the “Traffic Safety Network” Grant.	6
* ITEM-101:	Application for an Emergency Housing and Assistance Program (EHAP) Grant.	7
* ITEM-102:	The San Diego Sustainable Community Program.	9
* ITEM-103:	Parcel Map W.O. No. 960506 and Related Item.	9

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250:	Notice of Pending Final Map Approval - Pacific Highlands Ranch Unit No. 2A.	<u>10</u>
ITEM-251:	Notice of Pending Final Map Approval - Ocean View Hills Corporate Center Unit No. 3.	<u>11</u>
ITEM-252:	Notice of Pending Final Map Approval - Torrey Santa Fe Summit.	<u>11</u>
ITEM-253:	Notice of Pending Final Map Approval - Country Club Villas of La Jolla	<u>12</u>

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, OCTOBER 28, 2002 AT 2:00 P.M.
COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING
202 "C" STREET
SAN DIEGO, CA 92101**

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

SPECIAL ORDERS OF BUSINESS

ITEM-30: Mission Bay Yacht Club Day, 75th Anniversary.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-424)

Proclaiming Monday, October 28, 2002 as "Mission Bay Yacht Club Day" in the City of San Diego to celebrate seventy-five years of service to its members and the City.

SPECIAL ORDERS OF BUSINESS

ITEM-31: Luis Natividad Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-2003-399)

Commending Luis Natividad for his contributions to the City of San Diego;

Proclaiming October 28, 2002 to be “Luis Natividad Day” in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

ITEM-32: San Diego State University Month.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-558)

Recognizing the commitment to San Diego State University and proclaiming March 2003 to be “San Diego State University Month” in the City of San Diego.

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

Items 50 and 51.

ORDINANCES TO BE INTRODUCED:

Item 52.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102 and 103.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

* ITEM-50: Office Space Lease Amendment - Executive Complex - 6th Floor.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/14/2002. (Council voted 9-0):

(O-2003-45)

Authorizing the City Manager to execute a Fifth Amendment to Lease Agreement with Executive One Associates for the lease of an expansion area of approximately 10,489 square feet, at a monthly rental rate of \$14,999.27, for a term commencing on or before or about December 1, 2002 and terminating on March 31, 2014, approximately 12 years;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$135,622.77 from Facilities Fund No. 10250, Dept. 541, for rent from the FY 2003 budget. The monthly rent will increase by approximately 1.5% per year through the term of the Master Lease.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

* ITEM-51: Prohibiting Spectators at Illegal Speed Contests.

CITY COUNCIL'S RECOMMENDATION:

Adopt the ordinance which was introduced on 10/15/2002 (Council voted 9-0):

(O-2003-62)

Amending Chapter 5, Article 2 of the San Diego Municipal Code by adding a new Division 52, titled "Spectators Prohibited at Illegal Speed Contest or Exhibitions of Speed;" and by adding new Sections 52.5201, 52.5202, 52.5203, 52.5204 and 52.5405.

ADOPTION AGENDA, CONSENT ITEMS
ORDINANCE TO BE INTRODUCED:

- * ITEM-52: Urban Forest Programs - Tree Advisory Board Name Change.

(See City Manager Report CMR-02-231.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2003-71)

Introduction of an Ordinance amending Chapter 2, Article 6, of the San Diego Municipal Code by Amending Sections 26.0501 and 26.0502 relating to Tree Advisory Board by changing the name to Community Forest Advisory Board.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 10/16/2002, RULES voted 4 to 0 to approve the City Manager's recommendations (regarding the proposed name change). (Councilmembers Wear, Atkins, Madaffer, and Mayor Murphy voted yea. Councilmember Stevens voted nay.)

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-100: Agreement with the Pacific Safety Council Under the "Traffic Safety Network" Grant.

(See memorandum from Chief of Police dated 7/24/2002.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-491 Cor. Copy)

Authorizing the Chief of Police to enter into an Agreement with the Pacific Safety Council to operate the "Traffic Safety Network" grant program, and the authorization shall include all aspects of Agreement administration funding, and operation;

Authorizing the expenditures not to exceed \$246,575;

Declaring that the Agreement is contingent upon final approval by OTS of the program and budget;

Authorizing the Chief of Police to execute any amendments, extensions, renewals, or future funding for the Agreement for a period of up to five years, provided funding is made available by the State of California.

CITY MANAGER SUPPORTING INFORMATION:

The California Office of Traffic Safety awarded a grant of \$246,575 to SDPD to implement a vehicle passenger safety project titled San Diego Traffic Safety Network. The grant and project were approved by Council in R-296646 on 6/11/2002. The grant proposal names the Pacific Safety Council ("PSC," formerly San Diego County Safety Council) as contractual partner to provide services.

(NOTE: SDPD has sponsored the OTS Safe Communities and Buckle Up San Diego grants for 12 years. This new grant is essentially the continuation of those programs. PSC has been selected as the new vendor due to the retirement of Safe Communities Director David Thompson.)

SDPD Traffic Division and OTS concur that PSC is the appropriate entity to provide this vehicle safety program in San Diego. It will be advantageous to SDPD and citizens of San Diego for the City to sponsor PSC in continuing and expanding the existing program through this OTS grant. Because Louise Nichols remains the most qualified individual to conduct the child safety seat components of the project, she is named as Listed Subconsultant in the Agreement.

FISCAL IMPACT:

SDPD has received a grant of \$246,575 over a two-year period from the California Office of Traffic Safety to fund a passenger/child safety restraint program named the "Traffic Safety Network." The purpose of this action is to subcontract the grant to the Pacific Safety Council, with Louise Nichols as Listed Subcontractor for the child safety seat components. There is no requirement for matching funds, and no requirement to continue program services or expenditures after grant funding has ended. The proposal originally requested 3% of the grant for administrative costs. However, because the original request (for nearly \$1 million) was drastically reduced by OTS, the City agreed to waive this 3% in order to allocate maximum funds to the program. Administrative and fiscal support will be minimal, at less than 2 hours per week.

Uberuaga/Bejarano/DJW

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-101: Application for an Emergency Housing and Assistance Program (EHAP) Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-525)

Authorizing the Deputy Director of Community Services to apply for an EHAP grant in an amount not more than the maximum amount permitted by the NOFA, and in accordance with the program statute, regulations, and local Emergency Shelter Strategy, where applicable;

Declaring that the City of San Diego agrees to use the EHAP funds for eligible activities in the manner presented in the application as approved by the California Department of Housing and Community Development and in accordance with the program statute (Health and Safety Code Section 50800-50806.5) and Regulations (Title 25, Division 1, Chapter 7, Subchapter 12, Sections 7950 through 7976 of the California Code of Regulations), and Chapter 117, Statutes of 2002, and the Standard Agreement;

Authorizing the City Manager to execute the Standard Agreement, and all documents, including applications, contracts, agreements, and all subsequent amendments with the Department necessary to implement and carry out the purpose of this grant;

Authorizing the City Manager to accept and expend funds from the Department of Housing and Community Development, Division of Community Affairs, Emergency Housing and Assistance Program (EHAP) (Round #EHAP-X), to implement and carry out the purpose of this grant.

CITY MANAGER SUPPORTING INFORMATION:

On Thursday, September 12, 2002 the State of California Department of Housing and Community Development issued its statewide Notice of Funding Availability (NOFA) for Funding Round X of the Emergency Housing and Assistance Program (EHAP) and Operating Facility Grants. The City of San Diego is applying for a grant in the amount of \$100,000. These funds can be used to defray the cost of eligible activities including facility operation and administration, residential rental assistance, and leasing or renting rooms for provisions of temporary shelter.

The California Department of Housing and Community Development requires that the City Council adopt a resolution prior to submission of the EHAP application. The grant application is due to the California Department of Housing and Community Development on or before Thursday, November 14, 2002.

FISCAL IMPACT:

The grant application to the California Department of Housing and Community Development will be for \$100,000 which is the maximum amount the City can apply for. There are no matching requirements.

Herring/Cunningham/HLL

ADOPTION AGENDA, CONSENT ITEMS RESOLUTIONS:

* ITEM-102: The San Diego Sustainable Community Program.

(See City Manager Report CMR-02-233.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2003-561)

Approving the City Manager's recommendations to accept the update prepared by the Environmental Services Department regarding San Diego Sustainable Community Program with a request that the ad hoc committee be diverse.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 10/16/2002, RULES voted 5 to 0 to approve the City Manager's recommendations with a request that the ad hoc committee be diverse. (Councilmembers Wear, Atkins, Stevens, Madaffer and Mayor Murphy voted yea.)

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-103: Parcel Map W.O. No. 960506 and Related Item.

(Mid-City/City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-544)

Approving Parcel Map W.O. No. 960506.

CITY MANAGER SUPPORTING INFORMATION:

This parcel map is a four-parcel consolidation and lot line adjustment parcel map of a 10.887 acre site. The site is located southeasterly of Wightman Street and 43rd Street in the Mid-City/City Heights Community Plan area in Council District 3. This map requires City Council approval because the land is City-owned and because unnamed alleys and a street are being vacated.

The purpose of this map was to reconfigure the lots to allow for the construction of tennis courts, a library, community center, park, continuing education structure and police station.

This project is constructed and therefore there are no additional traffic impacts on the fronting and nearby roadways and freeways. A project traffic information sheet is therefore not provided.

The public improvements for this project have been completed, and there are no park fees required in connection with this project.

FISCAL IMPACT:

None.

Ewell/Broughton/GRB

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: **Notice** of Pending Final Map Approval - Pacific Highlands Ranch Unit No. 2A.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Pacific Highlands Ranch Unit No. 2A", a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located in the Pacific Highlands Ranch Community Plan Area in Council District 1, northeasterly of SR-56 and Old Carmel Valley Road. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed.

Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES:

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ITEM-251: Notice of Pending Final Map Approval - Ocean View Hills Corporate Center Unit No. 3.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Ocean View Hills Corporate Center Unit No. 3", a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located in the Otay Mesa Community Plan Area northeasterly of SR 905 and Ocean View Hills Parkway in Council District 8. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-252: Notice of Pending Final Map Approval - Torrey Santa Fe Summit.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Torrey Santa Fe Summit," a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located in the Torrey Highlands Community Plan Area, southeasterly of Torrey Santa Fe Road and I-5 in Council District 1.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed.

Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-253: **Notice** of Pending Final Map Approval - Country Club Villas of La Jolla.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Country Club Villas of La Jolla," a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located in the La Jolla community Plan Area, located southeasterly of Genter Street and Girard Avenue in Council District 1. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed.

Interested parties will have 10 calendar days from the date of this Council hearing to

appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT